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PTO/SB/21 (09-04) Approved for use through 07/31/2006, OMS 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Pagerwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/600,290 TRANSMITTAL Filing Date 06/20/2003 First Named Inventor FORM Sean D. Monahan Art Unit 1632 **Examiner Name** Woitach, Joseph T. (to be used for all correspondence after initial filing) Attorney Docket Number Mirus.013.03.1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittel Form Drawing(e) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC **/** Amendment/Reply (Appeal Notice, Brist, Reply Brist) Petition to Convert to a After Final Provisional Application Proprietary Information Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Restriction Requirement dated 01/30/2006 Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Mirus Bio Corporation Signature Printed name Kirk Ekena Date Reg. No. 02/07/2006 56,672 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Kirk Ekena 02/07/2006 Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450. Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/600,290

Applicants:

Sean D. Monahan et al.

Filed

06/20/2003

Art Unit

1632

Examiner

Woitach, Joseph T.

Docket No.:

Mirus.013.03.1

For: Intravascular Delivery of Non-Viral Nucleic Acid

Commissioner of Patents

PO Box 1450

Alexandria, VA 2231-1450

ELECTION TO RESTRICTION REQUIREMENT

Dear Sir:

This Amendment responds to the Restriction Requirement dated Jan. 30, 2006.

A Listing of the Claims Readable on Elected Species begins on page 2 of this paper.

A Complete Listing of the Claims begins on page 4 of this paper.

Remarks responding to the Restriction Requirement begin on page 6 of this paper.